

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:05-00193

QUINTON THOMAS JOHNSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On July 31, 2013, the United States of America appeared by C. Heley Bunn, Assistant United States Attorney, and the defendant, Quinton Thomas Johnson, appeared in person and by his counsel, L. Thompson Price, for a hearing on the petition on supervised release and amendment thereto submitted by Senior United States Probation Officer Patrick M. Fidler. The defendant commenced a two-year term of supervised release in this action on May 12, 2012, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on April 19, 2012.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local offenses of driving without an operator's license and no proof of insurance for which he was cited on or about December 7, 2012; (2) the defendant used and possessed marijuana as evidenced by positive urine specimens submitted by him on September 12 and November 5, 2012, and January 9 and June 13, 2013, at which time the defendant admitted smoking one "joint" approximately two weeks prior; (3) the defendant failed to appear for urine screens as instructed on May 25, June 18, July 27, August 6 and 16, September 20, October 15, December 7 and 17, 2012, January 18, February 4 and 14, March 7 and 15, April 10 and 22, and May 17 and 21, 2013; (4) the defendant failed to appear for substance abuse counseling sessions as instructed on June 6, June 12, July 12, 18 and 24, August 17, September 13, 2012, failed to appear at any time between October 5 and November 28, 2012, on January 30, 2013, and anytime thereafter until June 18, 2013; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of ONE (1) DAY, to be followed by a term of one (1) year of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he spend a period of SIX (6) MONTHS in a community confinement center commencing

as soon as space is available and the defendant shall follow the rules and regulations of the facility and participate in drug abuse counseling and treatment as directed by the facility and the probation officer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 5, 2013



John T. Copenhaver, Jr.
United States District Judge